

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

JOSHUA T. DIETZ,

Plaintiff,

v.

CIVIL ACTION NO. 3:19-0642

WEST VIRGINIA REGIONAL  
JAIL AUTHORITY;  
WESTERN REGIONAL JAIL; and  
W.V.D.C.R.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the complaint be dismissed, without prejudice, for failure to prosecute and for failure to comply with court orders, and that this action be removed from the docket of the court. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **ORDERS** that the complaint be **DISMISSED**, without prejudice, for failure to prosecute and for failure to comply with court orders, and that this action be removed from the docket of the court, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: March 5, 2020



ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE